

# Thirteen Theses on Trump and Liberal Democracy

**VB** [verfassungsblog.de/thirteen-theses-on-trump-and-liberal-democracy/](http://verfassungsblog.de/thirteen-theses-on-trump-and-liberal-democracy/)

Robert Howse Do 10 Nov 2016

Do 10 Nov  
2016

No one wants to go down in the history books like those fools who said in the 1930s, „well, Hitler isn't such a bad chap really...“ Protecting our egos from the imagined judgment of prosperity, the cautious course is to predict the worst for the Trump Presidency, the very destruction of the American constitutional regime, the collapse of liberal democratic values. I however am willing to risk being proven a fool, so here goes...

1. Increasingly in mature liberal democracies party affiliation and especially voting is not predetermined by social class, family background or other sub-political associations (e.g. churches, trade unions). Politicians must thus face the task of putting together a coalition from diverse individuals and social groups, which works to get them chosen as a party candidate and then elected to office. Depending on typical levels of grassroots party engagement and voter turnout, such coalitions may actually constitute a minority of the entire voting-eligible population.

2. In representative democracies, as are essentially all our liberal democracies despite the odd referendum (save Switzerland), coalitions of voters may well form in response not to specific policies but to the personalities of political figures. This of course was already noticed by Max Weber („charisma“). A leader can succeed by gaining the trust of a winning coalition or by instilling enthusiasm, or both. Trump was able to instill enthusiasm but not trust not so much. Clinton was able to instill neither trust nor enthusiasm. The inherent reasonableness of her policies, and the broad acceptability of her values, were unlikely to succeed without the ability to elicit **either** trust or passion.

3. It appears that many Democratic electors who voted for Obama did not cast a ballot this time. Trump did not get a majority of the popular vote and only won by virtue of a peculiarity of the US electoral system, the Electoral College, which effectively weights votes regionally. **There is simply not a white supremacist majority coalition in the United States determined to destroy liberal democracy.**

4. Trump correctly gauged based on geographical and demographic factors to whom he would need to appeal in order to put together a winning coalition. He grew up in New York in the 60s and 70s, became a niche celebrity figure; he does not have a worked out racist or authoritarian ideology. True, he has been a tough and perhaps dodgy businessman (but not dodgy enough ever to face serious criminal consequences); but he has never been a colonel, an agent in the secret police, an operative in an extremist political party or movement, nor even a right wing activist or agitator. He approached his political rhetoric as would a businessman who has identified the market he needs to succeed with and the slogans that work for the range of consumers within that market.

Trump did not create xenophobic, reactionary voters; nor are there more of them; it is just that Trump and others have figured out how to make political gains by **mobilizing** them as **part** of their coalition. The political attitudes of young people and demographics at least in the US suggest that this is going into the future a dwindling, not rising constituency (and look at how little support Brexit had among young voters in the UK).

5. Trump was elected fairly. The Clinton campaign itself made no objection to the result nor any claim of widespread intimidation, vote-rigging or suppression that was material to the outcome. The Clinton campaign was not inequitably deprived of resources or opportunities to make its case.

6. Populism is not the enemy of liberal democratic constitutionalism. The Bernie Sanders movement is an illustration that there can be, at least in America, an anti-establishment grassroots political movement of national significance the values of which are entirely consonant with liberal democratic constitutionalism, and which in fact wants changes that would renew the ideals of liberal democracy, curbing corruption and clientism.

7. Had he faced the kind of nomination contest that Trump faced, Sanders would almost certainly be President-Elect today. But he faced a situation where the entire Democratic Party establishment had solidified around Hillary Clinton even before he was able to become candidate. He came close to success in challenging the

establishment phalanx, but it proved impossible to fully overcome. This one historical twist, Clinton having locked up the Party establishment, so fateful for the result, was a highly contingent event, not determined by any larger trend against liberal democratic constitutionalism.

8. Don't forget that there is a diversity of views within liberal democratic constitutionalism about collective identity, diversity, and democracy. Be very cautious before simply labeling someone who doesn't share one's strongly held own view as intolerant, racist, or anti-liberal.

9. Trump's project of mass deportation of undocumented migrants would, I believe, be a social, economic, and humanitarian disaster. As for the horrific notion of closing the borders to Muslims, it's already apparently removed from his website. This said, open borders is not and never has been a sine qua non for liberal democratic constitutionalism (the EU experiment notwithstanding). Strictly enforcing immigration rules is not inherently illiberal or undemocratic. I'm all for a decent approach that would involve amnesty for undocumented migrants, but people like me still have to bear in mind that there is a rule of law argument behind Trump's position that forgiveness is unfair to those who have followed the rules and lined up in the queue. I also favor an open approach to *legal* immigration and generosity in the reception of refugees. I think it's the right thing to do, but it is not dictated by a bedrock commitment to liberal democratic constitutionalism. America shamefully turned away people fleeing the Nazis when it was led by a President who in many ways can be regarded as a liberal democratic hero.

10. Trump does bear a heavy responsibility for opportunistically deploying xenophobic, sexist, divisive rhetoric, lowering the tone of civic discourse and unleashing and to some extent legitimating uncivil discourse. His victory speech offered a glimmer of hope that he sees the need to repair this, or at least its effects. We will see.

11. There is a powerful national progressive leader, Bernie Sanders, now standing tall above the post-election rubble of the Democratic Party machine, with access to millions of people who have contributed to and worked on his campaign, and other campaigns in the movement (e.g. Zephyr Teachout). Indeed, what is left, after Tuesday's disastrous result across the board, of a Democratic establishment that could credibly make any real challenge to Sanders and his movement? So we are **not** in the kind of historical situation where the forces of opposition have been so divided, demoralized, intimidated or decimated as to set the stage for the emergence of an authoritarian style of rule unchecked by normal agonistic liberal democratic party politics. Mr. Trump has much to fear from Sanders and his movement, because they **also** are anti-establishment and can appeal to that theme, but among an additional constituency that Trump is unable to reach: educated young people.

12. The United States has always lacked a stable caste of high officials whose calling is absolute loyalty or service to the ruler. Just watch an episode or two of *House of Cards* or *West Wing* and you will see that how the President is surrounded by rivals past, present and future; advisers in his own office may well have their own agendas, and everybody is looking out for themselves and looking to the next election. The Republican Party is fractious, so is the conservative movement in America: they will line up behind Trump only to the extent that serves their interests and values. The checks and balances in the United States political system are not a mere matter of constitutional formalism that could quickly crumble in the presence of a strong man contemptuous of the rule of law, they are deeply embedded sociologically in America's culture of freedom and self-interested individualism.

13. Demonizing Mr. Trump and attempting to isolate him as beyond the liberal democratic pale is itself contrary to the spirit of liberal democratic constitutionalism. He deserves the **respect of office**, however much self-control is required to give it to him. But respect of office is just that, a recognition of his legitimately acquired constitutional role. If Trump starts to act in ways that are threatening to the constitution and its underlying values that respect is forfeited. And impeachment is the ultimate remedy if he acts extra-legally. Finally, as is often the case, Bernie Sanders puts it best: "To the degree that Mr. Trump is serious about pursuing policies that improve the lives of working families in this country, I and other progressives are prepared to work with him. To the degree that he pursues racist, sexist, xenophobic and anti-environment policies, we will vigorously oppose him."

SUGGESTED CITATION Howse, Robert: *Thirteen Theses on Trump and Liberal Democracy*, *VerfBlog*, 2016/11/10, <http://verfassungsblog.de/thirteen-theses-on-trump-and-liberal-democracy/>.